

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LORENZO NICHOLS,	)	
	)	Civil Action No. 06 - 1320
Plaintiff,	)	
	)	Judge Terrence F. McVerry /
v.	)	Magistrate Judge Lisa Pupo
	)	Lenihan
DONNA SHABAN, <i>Correctional Food</i>	)	
<i>Service Supervisor</i> ; JEFFREY FORTE,	)	
<i>Captain</i> ; MIKE HOWARD, <i>Inmate</i>	)	
<i>Employment Coordinator</i> ; TOM MORAN,	)	
<i>Correctional Food Service Manager</i>	)	
	)	
Defendants.	)	
	)	

**MEMORANDUM ORDER**

Plaintiff's complaint was received by the Clerk of Court on October 4, 2006, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation (doc. no. 26), filed on July 18, 2007, recommended that Defendants' Motion to Dismiss (doc. no. 16) be granted. Objections to the Report and Recommendation were due by August 6, 2007. No objections have been filed. After review of the pleadings and the documents in the case, together with the Report and Recommendation, the following order is entered:

**AND NOW**, this 10<sup>th</sup> day of September, 2007;

**IT IS HEREBY ORDERED** that Defendants' Motion to Dismiss (doc. no. 16) is  
**GRANTED.**

The Report and Recommendation of Magistrate Judge Lenihan, dated July 18, 2007  
(doc. no. 26), is adopted as the opinion of the court.

The Clerk of Courts is ordered to mark this case **CLOSED**.

BY THE COURT:

\_\_\_\_\_  
s/ Terrence F. McVerry  
United States District Judge

cc: Lisa Pupo Lenihan  
U.S. Magistrate Judge

Lorenzo Nichols, EP-7457  
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